

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RAHN GREGORY THOMPSON,

Plaintiff,

vs.

PFEIFFER, et al.,

Defendants.

1:20-cv-01619-GSA-PC

**ORDER FOR CLERK TO RANDOMLY
ASSIGN A UNITED STATES DISTRICT
JUDGE TO THIS CASE**

AND

**FINDINGS AND RECOMMENDATIONS,
RECOMMENDING THAT THIS
ACTION PROCEED ONLY WITH THE
EXCESSIVE FORCE CLAIMS AGAINST
DEFENDANTS DOZER AND NAVA,
THAT ALL OTHER CLAIMS AND
DEFENDANTS BE DISMISSED**

OBJECTIONS, IF ANY, DUE IN 14 DAYS

Rahn Gregory Thompson ("Plaintiff") is a state prisoner proceeding *pro se* and *in forma pauperis* with this civil rights action filed pursuant to 42 U.S.C. § 1983 and Title II of the Americans with Disabilities Act (ADA), 42 U.S.C. § 12132. On November 16, 2020, Plaintiff filed the Complaint commencing this action. (ECF No. 1.)

The Complaint names 20 Defendants: (1) C. Pfeiffer (Warden); (2) Sergeant D. Stanley; (3) Sergeant D. Badger; (4) Sergeant S. Sargent; (5) Correctional Officer (C/O) D. Dozer; (6)

1 C/O D. Nava; (7) C/O Rios; (8) C/O Hernandez; (9) C/O K. Martinaze; (10) A. Zepp (Medical
2 Doctor); (11) T. Standon (Medical Doctor); (12) T. Kamen (Medical Doctor); (13) D. Stebbins
3 (ADA Coordinator); (14) Sergeant Williams; (15) C/O Edmonson; (16) C/O Jacobe; (17) C/O
4 Houlquin; (18) Sergeant R. Chanelo; (19) Sergeant M. Espinsa; and (20) Jamie (Warden)
5 (collectively, “Defendants”), and brings claims for excessive force, failure to protect, denial of
6 medical care, retaliation, improper prison appeals process, false disciplinary report, negligence,
7 and violation of the ADA. (Id.)

8 The court screened the Complaint and found that it states cognizable claims under the
9 Eighth Amendment against defendants C/O Dozer and C/O Nava for use of excessive force, but
10 no other cognizable claims. (ECF No. 10.) On March 20, 2022, the court issued a screening
11 order requiring Plaintiff to either (1) notify the court that he is willing to proceed only with the
12 claims found cognizable by the court, or (2) file a First Amended Complaint. (Id.)

13 On March 28, 2022, Plaintiff notified the court that he is willing to proceed only with the
14 claims found cognizable by the court. (ECF No. 11.)

15 Based on the foregoing, it is **HEREBY RECOMMENDED** that:

- 16 1. This action proceed only on Plaintiff’s claims against defendants C/O Dozer and
17 C/O Nava for use of excessive force in violation of the Eighth Amendment;
- 18 2. All remaining claims and defendants be dismissed from this action;
- 19 3. Plaintiff’s claims for failure to protect, denial of medical care, retaliation,
20 improper prison appeals process, false disciplinary report, negligence, and
21 violation of the ADA be dismissed from this action based on Plaintiff’s failure to
22 state any claims upon which relief may be granted;
- 23 4. Defendants Pfeiffer, Stanley, Badger, Sargent, Rios, Hernandez, Martinaze,
24 Zepp, Standon, Kamen, Stebbins, Williams, Edmonson, Jacobe, Houlquin,
25 Chanelo, Espinsa, and Jamie be dismissed from this action based on Plaintiff’s
26 failure to state any claims against them upon which relief may be granted; and
27 5. This case be referred back to the Magistrate Judge for further proceedings,
28 including initiation of service of process.

